

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	CRIMINAL ACTION NO.
v.	)	2:10cr191-MHT
	)	(WO)
CEDRIQUEZ McCaa	)	

ORDER

This case is before the court on defendant Cedriquez McCaa's motion for a "writ of mandamus" (Doc. 97). In the motion, McCaa asks the court to grant a writ so that he can enter a new plea, asks to be brought back to the Middle District of Alabama so he can enter the plea, and asks the court to act promptly. He also asks to be "discharged from under violation of Title 18, U.S.C. §§ 924(a)(2), 922(g)(1); and 924(e) immediately." Motion (Doc. 97) at 7.

The court construes McCaa's motion as a motion to withdraw his guilty plea. However, it is too late for him to file such a motion. See Fed. R. Crim. P. 11(e). To the extent that he seeks to challenge his conviction in this case, he must file an application for

permission to file a successive 28 U.S.C. § 2255 motion with the Eleventh Circuit Court of Appeals.

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Accordingly, it is ORDERED that:

(1) Defendant Cedriquez McCaa's motion to withdraw his guilty plea (Doc. 97) is denied.

(2) To the extent defendant McCaa's motion seeks relief pursuant to 28 U.S.C. § 2255, the motion is denied for lack of jurisdiction, as he has not received the required permission from the Eleventh Circuit Court of Appeals.

DONE, this the 9th day of November, 2021.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE